

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

CHANNEL BIO CORPORATION,

Plaintiff,

v.

ERIC LEWIS, *et al.*,

Defendants.

Case No. 08-cv-57-JPG

MEMORANDUM AND ORDER

This matter comes before the Court on the Stipulation of Dismissal (Doc. 129) filed by Defendants/Cross-Plaintiffs Eric Bernhard, Sandra Bernhard, Mike Ziegler, Jane Ziegler, and DJD-3, Inc. and Defendant/Cross-Defendant Clay County State Bank. Specifically, the Defendants/Cross-Plaintiffs seek dismissal of their claims against Clay County State Bank pursuant to Federal Rule of Civil Procedure 41(a). Rule 41(a) states that a plaintiff “may dismiss an action without a court order by filing . . . a stipulation of dismissal signed by all parties who have appeared.” Fed. R. Civ. P. 41(a)(1)(A)(ii). While the instant stipulation of dismissal hardly closes this case, it dismisses entire actions against Clay County State Bank. Additionally, it is signed by Clay County State Bank and all of the parties whose actions will be dismissed by its terms.

Accordingly, the Court, being fully advised of the premises, **DISMISSES with prejudice** all claims and causes of action of Eric Bernhard, Sandra Bernhard, Mike Ziegler, Jane Ziegler, and DJD-3, Inc. against Clay County State Bank.

IT IS SO ORDERED.

DATED: December 7, 2009

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE